Egypt

Freedom of the Press

The press faced myriad challenges in 2013 as the courts, the military, the political establishment, and Islamist groups engaged in a power struggle to determine Egypt's political future. During the first half of the year, under President Mohamed Morsi, the media were extremely polarized along political and ideological lines. After Morsi's overthrow in July, the press engaged in increased self-censorship due to the intimidation, arbitrary detention, and killings of journalists, particularly those who were viewed as critical of the military-supported interim government or sympathetic to Morsi and his Islamist supporters.

Following the forced resignation of longtime president Hosni Mubarak in 2011, the country was ruled by a military council, the Supreme Council of the Armed Forces, whose 18-month tenure featured some openings in the legal, political, and economic environment for the media. When Morsi of the Muslim Brotherhood's Freedom and Justice Party won the presidency in June 2012, executive power was formally transferred from the military to the new civilian leadership. The change led to several negative developments for the media, including greater polarization between pro- and antigovernment outlets, an increased use of defamation laws against the press, and physical harassment of journalists by nonstate actors with the tacit support of the authorities. The political turmoil and acute divisions over the country's direction had a direct impact on the media, pitting secularist outlets against their Islamist counterparts. The anti-Islamist elements of the private media launched a fierce and systematic campaign to criticize Morsi, while the administration fought back by imposing more restrictions.

The constitution that had been ratified under Morsi in December 2012 and was in force through the first half of 2013 addressed freedom of the press in contradictory terms. While enshrining press freedoms in its articles, it left media professionals exposed to excessive punishments under the law, including prison sentences for "malpractice." In addition, it upheld preexisting laws pertaining to the sanctity of the president. The constitution's ambiguity left significant room for censorship and paved the way for self-censorship on social, cultural, and political issues. While Article 45 stated that "freedom of thought and opinion shall be guaranteed," several other articles appeared to challenge this provision, including Article 44, which prohibited the "insulting of prophets." Article 48 gave courts the authority to shut down a media outlet if a judicial review found that an employee of the outlet had not observed the vague provisions of the article, such as "respecting the sanctity of the private lives of citizens and the requirements of national security." Article 216 called for the creation of the National Press and Media Association, a new agency to administer all state-owned media outlets. It was left unclear how the association members would be selected or how its guidelines would be enforced.

On June 30, escalating political tensions and public hostility toward Morsi and his administration led to massive antigovernment rallies in Cairo and other major cities. In a military communiqué read on state television the next day, the defense minister, General Abdel Fattah al-Sisi, declared that if the president did not meet the public's demand for his resignation within 48 hours, the armed forces would intervene. On July 3, the military removed Morsi from office. It suspended the constitution, appointed a transitional government, and designated the head of the Supreme Constitutional Court, Adli Mansour, as interim president. Morsi, his senior aides, and many Muslim Brotherhood leaders were taken into custody. At the end of the year, the deposed president remained on trial for a range of offenses including spying, inciting violence, and sponsoring terrorism.

In August 2013, a 10-member committee of legal experts appointed by Mansour was tasked with providing recommendations for rewriting the constitution. The revisions were submitted to a 50-member constitutional committee, also appointed by Mansour and comprising mostly secular-leaning delegates. In early December, the committee finalized the amendments and unveiled the proposed new constitution. The draft included several encouraging provisions, such as guarantees of freedom of expression and opinion (Article 65), freedom of the press (Article 70), and independence of press institutions (Article 72). It also banned censorship and prison sentences for media offenses (Article 71), but with a broad and vague exception made for censorship in time of war or when a state of emergency is declared. A public referendum on the new constitution was scheduled for January 2014.

Despite the political and constitutional changes since 2011, the Mubarak-era press laws and penal code have remained in place, including an array of articles that allow journalists to be prosecuted for their reporting. Articles 302–306 of the penal code allow journalists to be imprisoned on charges of defamation, while Articles 171–201 lay out a number of press-related offenses, such as insulting the army. The Morsi government placed a strong emphasis on public morality, leading to a dramatic increase in prosecutions for blasphemy, "insult to religion," and offending public decency. The majority of cases were directed against non-Islamist citizens, journalists, and media personalities. Through the first half of 2013, a series of legal complaints were filed against journalists for "insulting the president." These cases were often lodged by Muslim Brotherhood members in the president's office and facilitated by Talaat Abdallah, the prosecutor general appointed by Morsi. In August, Mansour ratified a bill that removed jail penalties for the crime of insulting the president by amending the 1996 Press and Publications Law.

A draft of what would be Egypt's first freedom of information law was put forward in January 2013 and submitted by the Ministry of Justice for review by the cabinet later in the year. Previous drafts had failed to develop into legislation, and no bill had been enacted at year's end.

Decisions surrounding licensing and permission to publish and broadcast remained opaque under Morsi's presidency. The government—through the Ministry of Information, the public broadcaster Egyptian Radio and Television Union (ERTU), and the Shura Council, Egypt's upper house of parliament—had been given authority to oversee licensing and determine what is appropriate for broadcast. Under the new constitution, the government and the judiciary were empowered to withdraw the licenses of stations that violate a wide range of social, cultural, religious, and political sanctities. In August, the interim government announced the creation of a Supreme Press Council, which would consist of 15 members from civil society and assume some of the media-oversight functions of the Shura Council, including responsibility for selecting the heads of state media.

After Morsi came to power, state and private media were increasingly driven into adversarial Islamist and non-Islamist camps, to the detriment of journalistic integrity and objectivity. Morsi gave the Islamist-led Shura Council the authority to appoint new executives and chief editors for the state publications—including Egypt's three largest newspapers, *Al-Ahram*, *Al-Akhbar*, and *Al-Gomhuria*—continuing a long tradition of politically appointed leadership in the government press. Rather than disbanding or restructuring the much-maligned Ministry of Information, Morsi and Prime Minister Hesham Qandil retained the body and appointed a minister from the Muslim Brotherhood who moved quickly to consolidate the state media's progovernment bias.

The Brotherhood's party newspaper, *Freedom and Justice*, and its affiliated satellite television network, Misr25, both became platforms for the overt promotion of the Morsi government's policies and rarely offered any criticism of its performance. During volatile periods in Morsi's presidency, the Brotherhood's media arms served as trusted supporters of the president's decisions. They actively vilified the opposition as either disgruntled members of the old regime, thugs, or infidels. Also firmly in Morsi's camp were several private Islamist satellite channels, such as Al-Naas and Al-Hafez. Conversely, a large number of other

private satellite networks that adopted a liberal-secularist ideology, such as ONTV, CBC, Al-Tahrir, Al-Nahar, Al-Balad, and Al-Kahera Wal-Naas, became critical of the Muslim Brotherhood's conduct, Morsi's presidency, and Islamist politics in general. There was a marked decline in the government's commitment to providing access to official sources under Morsi. The administration selectively granted unfettered access to its media supporters while withholding information from critical outlets.

According to the Committee to Protect Journalists (CPJ), there were 78 assaults against journalists during Morsi's year in office. In the majority of cases, the attacks were committed by Morsi supporters during street battles between them and opposition supporters. In March 2013, thousands of Muslim Brotherhood supporters surrounded Media Production City, a compound on the outskirts of Cairo that housed numerous privately owned television networks, and attempted to prevent workers, prominent talk-show hosts, and their guests from entering the compound. Verbal intimidation was often used against journalists who opposed the Muslim Brotherhood. For example, during a public conference on women's rights in March, Morsi accused his critics of using the media to provoke hostility, and warned the media of severe punishment if they were found guilty of inciting violence.

Immediately after seizing control on July 3, the Egyptian military launched its own systematic crackdown and suppression of the media, focusing on outlets that had sided with Morsi or were linked to the Muslim Brotherhood. That same day, the military shut down five Islamist television stations, including the Muslim Brotherhood's Misr25. The stations' equipment was confiscated, and their employees were handcuffed and driven to a security building, where they were subjected to intensive interrogation by the military. Two days after the July 3 closures, the authorities ordered telecommunications satellite operator Nilesat to block three pan-Arab channels—Al-Quds and Al-Aqsa, Palestinian television stations affiliated with Hamas, and Al-Yarmouk, a Muslim Brotherhood television station based in Jordan. The military police also raided Al-Jazeera Mubasher Misr, Qatar-based Al-Jazeera's Egyptian news channel, and detained several of its employees, who were later released. A military spokesman attempted to justify the closures by saying that the affected stations had provoked violence and aggression. In late August, Al-Jazeera Mubasher Misr was declared an illegal network and banned from operating in Egypt. The military also took measures to prevent pro-Morsi media from attending official press conferences and events, and arbitrarily detained news providers, including foreign citizens. Several foreign journalists were arrested, intimidated, or even killed while covering pro-Morsi protests in 2013. For example, in July, the BBC's Jeremy Bowen was injured by birdshot pellets fired by security forces during a pro-Morsi protest, and Sky News cameraman Mick Deane was shot and killed during a bloody crackdown on pro-Morsi sit-ins in August.

Morsi's removal exacerbated the political polarization in the country and deepened the divide between pro- and anti-Morsi camps, though many liberal opponents of Morsi had begun to criticize the military-backed government by year's end. Of the six journalists killed for their work in 2013, all but one were killed after the coup. In July, a photojournalist for the *Freedom and Justice* newspaper was shot to death by a sniper while photographing security forces firing on pro-Morsi protesters, and in August, four members of the press, including Deane, were killed during the military's violent dispersal of two pro-Morsi protest camps. The military also detained dozens of journalists during 2013, including approximately 20 Al-Jazeera staff members. According to CPJ's annual prison census, five journalists—including two affiliated with Al-Jazeera—were behind bars in Egypt as of early December, all of whom were detained by the military-backed government. In late December, as part of the interim government's crackdown on the Muslim Brotherhood, four additional journalists affiliated with Al-Jazeera English were arrested for conducting "illegal meetings" with the Brotherhood; three remained in detention at year's end.

Mainstream media outlets failed to provide objective reporting or diverse viewpoints on the postcoup crisis. Fearing that they might be perceived as supporting the Muslim Brotherhood, many journalists practiced self-censorship, while others appeared openly sympathetic to the military. Those who reported critically on the crackdown risked retaliation. For example, in November, the television network CBC suspended a

show by popular news satirist Bassem Youssef. While the station attributed the suspension to financial issues, critics argued that the decision was taken due to an episode in which Youssef made fun of al-Sisi. Earlier, the network had distanced itself from Youssef, suggesting that his show had been "mocking national sentiments." Polarization and self-censorship among Egyptian journalists increased after the interim government's decision on December 25 to declare the Muslim Brotherhood a terrorist organization under Article 86 of the penal code. The authorities subsequently shut down the *Freedom and Justice* newspaper.

Egypt does not filter internet content. Many bloggers and online activists freely criticize the government and debate contentious issues, although online news outlets are cautious when posting content on the government or religion, and editors of state-run news websites practice self-censorship along similar lines. Several prominent bloggers and online activists, such as Alaa Abdel-Fattah, were arrested in November for organizing public demonstrations in defiance of a new law imposing sweeping restrictions on freedom of assembly.

Egypt has more than 500 newspapers, magazines, journals, and other periodicals, and during Mubarak's 30-year rule, the vast majority were in the hands of the state, which also owned nearly all newspaper retail outlets. Since the 2011 uprising, there has been significant ferment in the media sector as new outlets proliferated. Under Mubarak, all terrestrial television broadcasters—two national and six regional—were owned and operated by the government through ERTU. However, there were four privately owned, independent satellite channels and several pan-Arab stations that attracted wide viewership. At least 25 new privately owned channels have emerged in the post-Mubarak era. Media ownership patterns, spending, revenues, and advertising remain beyond transparent scrutiny across the industry. The government supports state media directly and through advertising subsidies, although it is unclear what types of advertising subsidies exist. Independent media that criticized the Morsi government or the interim government that replaced it came under financial pressure in 2013, as the authorities influenced advertisers. Such pressure has been exacerbated by the economic turmoil in the country. Both government and private newspapers have been forced to slash their budgets to account for revenue declines, though no major newspaper or broadcast station went out of business in 2013. In April, the *Egypt Independent*, an English-language newspaper that was critical of the Morsi government, ceased publication due ostensibly to financial difficulties, although the paper's staff claimed that it was forced to shut down because of its political views.

Some 50 percent of Egyptians accessed the internet regularly during 2013, and nearly 70 percent had access to mobile telephones. Social media, particularly Facebook and Twitter, play a key role in spreading news and information. By May 2013, there were nearly 14 million Egyptian users on Facebook, accounting for more than 25 percent of all Facebook users in the Middle East.

2014 Scores

Press Status

Not Free

Press Freedom Score

(0 = best, 100 = worst)

68

(0 = best, 30 = worst)

22

(0 = best, 40 = worst)

30

(0 = best, 30 = worst)

16